

REMARKS

In the Official Action of March 30, 2005, restriction was required between Groups I-XIII, each Group being represented by one or more of Figs. 1-19 of the application. In response to this restriction requirement, Applicants elect the embodiment shown in Figs. 1-4, on which claims 1-3 and 5-13 read, with traverse.

In traversing this restriction requirement, Applicants do not take issue with, and instead expressly affirm, the finding that the 13 Groups identified in the Action are distinct. The restriction requirement is instead being traversed on three bases:

(1) the lack of a showing in the Action of the serious burden that would be imposed if the claims were examined in a single application as required by MPEP §803 (see item (2) under the heading "Criteria for Restriction Between Patentably Distinct Inventions"),

(2) the unsupported nature of the allegations in the Action, and

(3) the grouping of embodiments that are functionally identical and/or similar in structure in separate Groups for restriction.

Each of these bases for traversal is discussed in more detail in the following paragraphs.

Specifically with regard to the lack of a serious burden, there is no attempt whatsoever in the Action to show that the distinct inventions "have acquired a separate status in the art as shown by their different classification," that they "have acquired a separate status in the art because of their recognized divergent subject matter," or that "a separate field of search" is required. As set out in MPEP §808.02, one of these criteria must be established to justify restriction, yet no such showing is made in the Action. In the absence of such a showing, no *prima facie* showing of the need for restriction between Groups I-XIII has been established.

The second reason for traversing the restriction requirement is the unsupported nature of the allegations in the Action. In the absence of a showing of one of the three criteria for requiring restriction set out in MPEP 808.02, the restriction requirement is not well founded.

The third reason for traversing the restriction requirement is the grouping of the species set out in the Action. It is alleged, for instance, that the multi-pin connectors shown in Figs. 10-18 are different species than the connectors shown in the other figures of the application, yet a review of Figs. 10-18 indicates that the only difference between the connectors shown in Figs. 10-18 and the connectors shown in Figs. 1-9 is the number of conductors 18, and there can be no logical basis for requiring restriction between an embodiment with one conductor and another embodiment with more than one conductor. In more detail, the structure of the connectors shown in Figs. 5 and 10 (alleged to constitute Groups II and VII, respectively) differs only in the number

of conductors 18 passing through the metal body 12 of each connector (Applicants note that the O-ring 58 shown on thermoplastic jacket 30 of connector 42 shown in Fig. 5 is not present on connector 62 shown in Fig. 10, and that the O-ring 52 on metal body 12 of connector 62 in Fig. 10 is not present on the metal body 12 of connector 42 shown in Fig. 5, but Applicants' claim 1 does not recite either O-ring or the position of the O-rings relative to the body 12 or jacket 30). Similarly, the elements of claim 1 that are shown in the multi-pin embodiments shown in Figs. 14-16 are the identical elements, in the same relative positions, as in the single conductor connector shown in Figs. 1-4. There is similar overlap even as between single and multi-pin connectors. Figs. 17-18, for instance, show a multi-pin connector 74 that differs from the connector 80 shown in Fig. 19 only by the configuration of the thermoplastic jacket 30, yet the structure of jacket 30 is not recited anywhere in Applicant's claims. Similarly, the connectors shown in Figs. 6-9 differ from each other only in the location of the unclaimed O-rings 52 and 58 and the unclaimed configuration of metal body 12. In short, if the Office insists on restriction of the present application to one or more embodiments shown in the drawings over Applicants' traversal of the restriction requirement, it is respectfully request that the groupings of the embodiments be set out in a way that bears some relationship to the many similarities in the structure of the embodiments shown.

For these reasons, reconsideration and withdrawal of the restriction requirement is respectfully requested. It is also requested that any amendments set out above be entered, that the remarks set out herein be considered, that the claims be allowed, and that the application be passed to issuance. In the event there are questions, please contact the undersigned Attorney for Applicants at the address and telephone number set out below.

Respectfully submitted,



Mark R. Wisner

Registration No. 30,603

Wisner & Associates

1177 West Loop South, Suite 400

Houston, Texas 77027-9012

Telephone: (713) 785.0555

Facsimile: (713) 785.0561

ATTORNEY FOR APPLICANTS

Date: April 29, 2005